

REMARKS

Claims 58-75 are currently pending in the subject application and are presently under consideration. Claims 58, 72, and 73 have been amended as shown on pages 2-6 of this submission.

Favorable reconsideration of the subject patent application is respectfully requested in view of comments and amendments herein. Specifically, the claimed invention is believed to be allowable over the references cited in the Final Office Action dated February 2, 2005. Specifically, neither Bösl *et al.* (U.S. 5,848,717) nor Ohmi *et al.* (U.S. 5,762,217) nor Towns *et al.* (U.S. 5,368,178), alone or in combination, teach or suggest every element of the subject claims. In particular, the claimed invention provides for lugs with a *plurality of vertical ridges on the surface of which the bracing band engages in a bracing position*. The claimed invention utilizes lugs with vertical ridges to engage the bracing band in a variety of ways not possible on a lug with a smooth engagement surface.

Ohmi *et al.* discloses a container closure in which a ring member contacts a smooth surface on each lug when engaged. Ohmi *et al.* discloses an *intimate* adhering between a smooth surface on each lug and the ring member at the time of closure or engagement (Fig. 3; col. 6, lines 38-65). In addition, Examiner should make note that Fig. 6 shows a smooth cutting surface on a lug 4a that is incorrectly labeled and described as item 9 (Fig. 6; col. 7, lines 36-39). In contrast, the subject invention as claimed provides for a *plurality of vertical ridges on the surface over which the bracing band engages* under a stressed condition. Vertical ridges permit lugs to be molded with less plastic than with a smooth engagement surface because vertical ridges provide lugs with the required rigidity for maintaining an adequate seal instead of a solid material. Vertical ridges allow for molding the inner surface of the bracing band with *co-operating abutment surfaces for producing at least one mechanical interlock* that communicates *tension in the bracing band to the engagement device*. Further, vertical ridges provide space for frangible bridge portions that are completely collapsible to form a radiused bridge portion between the engagement surfaces of the bracing band and the vertical ridge of the lug. When using a smooth engagement surface, additional plastic is required to create area for connection of frangible bridge portions above or below engagement surfaces of the bracing band and lugs.

In view of the foregoing, it is respectfully submitted that neither Bösl *et al.* nor Ohmi *et al.* nor Towns *et al.*, alone or in combination, teach or disclose all features recited in independent claims 58, 72, and 73 and claims 59-71, 74, and 75, that respectively depend therefrom. Specifically, use of a bracing band and lugs with a *plurality of vertical ridges on the surface of which a bracing band engages in a bracing position* is not disclosed.

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

It is believed that no fees are due in connection with this document. In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [NOVAP100US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,
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